THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

-

WRIT PETITION NO : 19165 of 2004

MONDAY, THE TWENTY FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

Between:

1 Chamanthula Varahalu Dora, s/o Sanni Babu,
r/o Vommali Jagannadhapuram Village, V.Madugula Mandal,

Visakhapatnam District. And others.

..... PETITIONERS

AND

1. The District Collector, Visakhapatnam District, Visakhapatnam. And others.

....RESPONDENTS

THE HON'BLE SRI JUSTICE B.SESHA SAYANA REDDY

WRIT PETITION NO.19165 OF 2004

O R D E R:

This writ petition has been filed by the petitioners with a prayer to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus directing the 1st and 3rd respondents to pay the rice or money for which they are entitled to, for the work done under "Food for Work" programme.

It is the case of the petitioners that they worked under a contractor, under "Food For Work Scheme". Immediately after completion of the said work, the authorization slips for withdrawal of the rice components were given to the petitioners for the services rendered by them. The petitioners submitted the said slips to the fair price dealers

through whom they are required to receive the rice components. It is further alleged that the fair price shop dealer namely Gadam Kondababu was required to supply the rice components. Since the said fair price shop dealer failed to deliver the rice components to them, the petitioners made several representations to the respondents but there was no response. Therefore, they issued legal notices to all the respondents herein. As the respondents did not consider their request, the petitioners approached this Court by invoking the jurisdiction Court under Article 226 of the Constitution of India.

No counter affidavit has been filed by the respondents.

Heard the learned counsel for the petitioners and the learned Government Pleader for Civil Supplies appearing for the respondents.

The fact remains that the petitioners worked as labourers under the Contractor and their wages were paid by way of rice components through authorization slips enabling them to withdraw the rice from the fair price shop dealer. It is not in dispute that the fair price shop dealer has not delivered the rice components to the petitioners and thereby misappropriated rice meant for “Food for Work Programme”. Consequently a criminal case was also registered against the said fair price shop dealer and the same is pending.

In the circumstances stated above, I deem it appropriate to direct the petitioners to submit a fresh application to the

1st respondent-District Collector detailing their entitlement. On receipt of the said application, the 1st respondent-District Collector shall consider and pass appropriate orders in accordance with law within four weeks from the date of receipt of the said application.

With the above observation, the writ petition is disposed of. No costs.

_____

25-07-2005

Mjl/*